

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

BENNY OLIVENCIA,

Petitioner,

No. C 12-3324 PJH (PR)

v.

ORDER OF DISMISSAL

YATES, Warden,

Respondent.

This is a habeas case filed by a state prisoner. It was transferred here from the Eastern District because petitioner was convicted in Santa Clara County, which is in this district. On July 18, 2012, the court notified petitioner that he had neither paid the five dollar filing fee nor submitted an application for leave to proceed in forma pauperis. A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. Petitioner was informed that if he did not either pay the fee or file the application within thirty days the case would be dismissed. No response has been received.

This case is therefore **DISMISSED** without prejudice. The clerk shall close this file.

IT IS SO ORDERED.

Dated: August 31, 2012.



PHYLLIS J. HAMILTON
United States District Judge